



Public Service Commission of the District of Columbia
1333 H Street, N.W., 2nd Floor, West Tower
Washington, D.C. 20005
(202) 626-5100
www.dcpSC.org

DOCKET FILE COPY ORIGINAL

October 19, 2004

RECEIVED

OCT 19 2004

Federal Communications Commission
Office of Secretary

Marlene H. Dortch
Secretary
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Comments of the Public Service Commission of the District of Columbia
in CC Docket No. 01-338 and WC Docket No. 04-313

REDACTED – FOR PUBLIC INSPECTION

Dear Ms. Dortch:

Pursuant to the Protective Order issued in the proceeding referenced above, the Public Service Commission of the District of Columbia (DCPSC) hereby files two copies of its supplemental information in redacted form. The DCPSC has filed one copy of its confidential filing on CD-ROM with the Secretary's Office and is sending one copy of its confidential filing on CD-ROM to Janice Myles, Wireline Competition Bureau.

The DCPSC appreciates the opportunity to submit this redacted filing in this proceeding.

Sincerely,

Richard A. Beverly / LHW

Richard A. Beverly
General Counsel

Enclosures

cc: Janice M. Myles, Wireline Competition Bureau

No. of Copies rec'd 0+1
List ABCDE

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., SUITE 200, WEST TOWER
WASHINGTON, DC 20005

ORDER

October 31, 2003

FORMAL CASE NO. 1024, IN THE MATTER OF THE IMPLEMENTATION OF
THE TRIENNIAL REVIEW ORDER IN THE DISTRICT OF COLUMBIA, Order
No. 12970

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia ("Commission") issues the following information requests to Verizon Washington DC, Inc. ("Verizon DC"). The Commission directs Verizon DC to respond to the attached information requests by November 21, 2003.

II. BACKGROUND

2. On August 21, 2003, the Federal Communications Commission ("FCC") issued the text of its *Triennial Review Order*, which redefined the standards used to classify portions of the incumbent local exchange carrier's ("ILEC") network as unbundled network elements ("UNEs"). In this Order, the FCC discussed the circumstances under which a competitive local exchange carrier ("CLEC") would be "impaired" without access to a certain network element, so that the ILEC would be required to lease that element to the CLEC. The FCC redefined impairment as a situation in which "lack of access to an incumbent LEC network element poses a barrier or barriers to entry, including operational and economic barriers, that are likely to make entry into a market uneconomic."¹ The FCC then reevaluated the network elements that it had previously deemed to be UNEs to determine whether these elements could be classified as UNEs under this new definition.

3. For some network elements, the FCC required state commissions to perform granular analyses to determine whether certain network elements could be defined as UNEs in the particular jurisdictions. The FCC required states to undertake four major investigations. First, the FCC required state commissions to evaluate whether CLECs are impaired without access to dark fiber and high capacity loops in the enterprise

¹ *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket No. 98-147, Report and Order and Order on Remand and Further Notice of Proposed Rulemaking ("*Triennial Review Order*") at 58, ¶ 84, rel. August 21, 2003.

market on a customer location specific basis.² Second, the FCC required state commissions to determine whether CLECs are impaired without access to dedicated transport for both the enterprise and the mass market on a route-specific basis.³ Third, the FCC required state commissions to decide whether CLECs are impaired without access to unbundled local circuit switching in the mass market.⁴ The analysis for these issues involves a granular analysis to determine whether alternatives to Verizon DC exist in the market using two triggers, the Self-Provisioning Trigger and the Competitive Wholesale Facilities Trigger. If these triggers are not met, then the analysis focuses on whether there are operational or economic barriers to competition in providing these UNEs. The FCC also mandated that state commissions approve and implement a batch hot cut process for the mass market or determine that such a process is not necessary.⁵ The FCC required state commissions to complete their inquiries on these four major issues and other related issues within nine months of the effective date of the *Triennial Review Order*, which is July 2, 2004.

4. On October 24, 2003, the Commission released Order No. 12958, which set the procedural schedule for the nine-month proceeding. The Commission established October 31, 2003 as the deadline for discovery requests, with November 21, 2003 as the deadline for responses to discovery requests.⁶

III. DISCUSSION

5. The Commission's Rules of Practice and Procedure outline a discovery process to obtain relevant information.⁷ To that end, the Commission directs Verizon DC to respond to the information requests included in Appendix A. The Commission's general guidelines for responding to information requests are attached as Appendix B. Verizon DC is required to respond to these requests by November 21, 2003.

² *Triennial Review Order* at 190, 198, ¶¶ 314, 328.

³ *Triennial Review Order* at 249-250, ¶ 399-400.

⁴ *Triennial Review Order* at 313, ¶ 493.

⁵ *Triennial Review Order* at 262, 287, ¶¶ 423, 460.

⁶ *Formal Case No. 1024, In the Matter of the Implementation of the Triennial Review Order in the District of Columbia*, Order No. 12958, ¶ 51.

⁷ See 15 DCMR § 122-123.

THEREFORE, IT IS ORDERED THAT:

6. Verizon Washington DC, Inc. shall respond to the attached information requests by November 21, 2003.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

A handwritten signature in black ink, reading "Sanford M. Speight". The signature is written in a cursive, flowing style.

CHIEF CLERK

**SANFORD M. SPEIGHT
ACTING COMMISSION SECRETARY**

Appendix A

Questions Regarding the Availability of Competitive Local Facilities

Questions for Verizon DC

Verizon DC Switching

Form for Response to Question 1				
Verizon DC Wire Center (Name and Address)	Total Voice Grade Equivalent Lines Served From This Wire Center	Voice Grade Equivalent Lines in Wire Center Provided to:		
		Number of Residential Customers	Number of Business Customers with less than 5 DS0 lines.	Number of Business Customers with 5 or more DS0, or other high capacity lines.
[use as many lines as needed]				

- For each wire center that supports Verizon DC customers and is located in the District of Columbia, Maryland or Virginia, please provide the total number of residential and business voice-grade equivalent lines that Verizon DC directly serves (as its customers). Indicate the number being provided to (a) residential customers; (b) business customers to whom you provide less than 5 voice-grade or DS0 lines; and (c) business customers to whom you provide 5 or more voice-grade or DS0 lines, DS1, ISDN-PRI, or other high capacity¹ lines.

Form for Response to Question 2				
Verizon DC Wire Center (Name and Address)	Total Voice Grade Equivalent Lines Served From This Wire Center To CLECs Through Resale	Voice Grade Equivalent Lines in Wire Center Provided to CLECs Through Resale :		
		Number of Residential Customers	Number of Business Customers with less than 5 DS0 lines.	Number of Business Customers with 5 or more DS0, or other high capacity lines.
[use as many lines as needed]				

- For each wire center identified in Question 1, please provide the total number of residential and business voice-grade equivalent lines that CLECs are serving through resale. Indicate the number being provided to (a) residential customers; (b) business customers to whom CLECs provide less than 5 voice-grade or DS0 lines; and (c) business customers to whom CLECs provide 5 or more voice-grade or DS0 lines, DS-1, ISDN-PRI, or other high capacity lines.

¹ For purposes of these questions, "high capacity" means DS-1 or equivalent or higher capacity lines, including, but not limited to DS-1, ISDN-PRI, DS-3.

Form for Response to Question 3				
Verizon DC Wire Center	Total Voice Grade Equivalent Lines Served From This Wire Center To CLECs' Switches	Voice Grade Equivalent Lines in Wire Center Provided to CLECs' Switches:		
		Number of Residential Customers	Number of Business Customers with less than 5 DS-0 lines.	Number of Business Customers with 5 or more DS-0, or other high capacity lines.
[use as many lines as needed]				

3. For each wire center identified in Question 1, please provide the total estimated number of residential and business lines that CLECs are serving through their own facilities (complete bypass). Indicate the number being provided to (a) residential customers; (b) business customers to whom CLECs provide less than 5 voice-grade or DS0 lines; and (c) business customers to whom CLECs provide 5 or more voice-grade or DS0 lines, DS-1, ISDN-PRI, or other high capacity lines.

Form for Response to Question 4				
Verizon DC Wire Center Name & Address	Currently Provided In-service Collocation For CLECs		Planned In-service Collocation For CLECs	
	List of CLECs Collocated at this location	Types of Collocation Provided to each	Planned List of CLECs Collocated at this location	Planned Types of Collocation Provided to each CLEC
[use as many lines as needed]				

4. For each wire center identified in Question 1, please provide the number of in-service collocation arrangements that you have, and for each collocation arrangement, please indicate the type of collocation that you are providing.

Form for Response to Question 5				
	Currently Provided Provisioning Collocation For CLECs		Planned Provisioning Collocation For CLECs	
Verizon DC Wire Center Name & Address	List of CLECs Collocated at this location	Types of Collocation Provided to each	Planned List of CLECs Collocated at this location	Planned Types of Collocation Provided to each CLEC
[use as many lines as needed]				

5. For each wire center identified in Question 1, please provide the number of provisioned collocation arrangements that you have in place that have yet to be activated, and for each collocation arrangement, please indicate the type of collocation.

VERIZON DC Transport

Form for Response to Questions 1 and 2			
Transport Currently Served with Self-Deployed Facilities		Transport with Self-Deployed Facilities Under Construction	
CLLI Code and Street Address of Verizon DC Wire Center	Operating Capacity	CLLI Code and Street Address of Verizon DC Wire Center	Operating Capacity
[use as many lines as needed]			

1. For each switch and wire center that supports Verizon DC, and that Verizon DC owns, possesses, or controls, or is in the process of acquiring or constructing, identify by the 11-digit CLLI code and street address to which the transport facility is connected.
2. For each Verizon DC switch or wire center identified in response to Question 1, identify the capacity of your transport facilities (e.g., dark fiber, DS-1, DS-3). (For purposes of answering this question and all other questions about transport facility capacity, DS-1 transport consists of transmission facilities with a total digital signal speed of 1.544 megabytes per second; DS-3 transport consists of transmission facilities with a total digital signal speed of 44.736 megabytes per second; and dark fiber transport consists of un-activated optical interoffice transmission facilities.)

Form for Response to Questions 3 and 4			
Dark Fiber Transport Capacity Obtained from Any Supplier			
CLLI Code and Street Address of Verizon DC Wire Center	Dark Fiber Supplier	Optronics Attached (Y/N)	Operating Capacity With Optronics
[use as many lines as needed]			

3. Identify all CLEC switches to which Verizon DC has provided dark fiber transport facilities.
4. For each dark fiber facility identified in response to Question 3, state whether you have attached optronics to that facility (i.e., whether the fiber is now "lit"), and the capacity at which each such transport facility is now capable of operating.

Form for Response to Questions 5 and 6		
Transport Routes Currently Served with Leased Facilities Excluding Dark Fiber		
CLLI Code and Street Address of CLEC Wire Center	Operating Capacity	Supplier

[use as many lines as needed]		

5. Identify all CLEC switches in the District which have obtained transport facilities from a supplier *other than* Verizon DC, including but not limited to other CLECs, wholesale providers, non-certificated providers, and intermodal providers.
6. For all facilities identified in response to Question 5, identify both the supplier, and the capacity of the facility (e.g., dark fiber, DS-1, DS-3).

Form for Response to Questions 7 and 8		
Transport Facilities Available to CLECS		
CLLI Code and Street Address of CLEC Wire Center	Operating Capacity	Carrier to Which Transport Facility was Offered or Made Available
[use as many lines as needed]		

7. For each CLEC switch identified in response to Question 5, state whether you have made available or offered to make available any portion of your transport facilities as *dedicated* transport to another carrier (e.g., through lease, indefeasible right of use).
8. For each CLEC switch or wire center identified in response to Question 7, identify the capacity of the transport facility you have made available or offered to make available (e.g., dark fiber, DS-1, DS-3).

Form for Response to Question 9		
CLLI Code and Street Address of IP	Type of IP	Carriers to Which You Interconnect at IP
[use as many lines as needed]		

9. Identify the points in the District at which you connect your local network facilities to the networks of CLECs, inter-exchange carriers, or internet service providers at any point of presence, network access point, collocation hotel, data center, or similar facility (collectively or individually, "interconnection points" or "IPs").

Verizon DC High Capacity Loops

CLEC's Name	DS-1	PRI	DS-3	Dark Fiber
(use as many lines as needed)				

1. Provide the number of high-capacity loops (DS-1, PRI, DS-3, or dark fiber) that you currently provide to each CLEC in the District of Columbia.

Appendix B

GENERAL INSTRUCTIONS

1. All information is to be divulged that is within the knowledge, possession, control, or custody of Verizon Washington DC, Inc. ("Verizon DC") or may be reasonably ascertained thereby, including documents at any time in the possession, control, or custody of Verizon DC or known to by Verizon DC to exist. The Information Requests are directed to Verizon DC and its respective affiliates, officers, directors, attorneys, agents, employees, or other appropriate representatives.
2. All answers should be made separately, fully, and completely. If any of the Requests are unclear, please contact Lara H. Walt, Rudolph Somwaru, or Farhad Niami at (202) 626-5100 as soon as possible so that the specific Information Request(s) may be rephrased. If any request cannot be answered in full, an answer should be provided to the extent possible, specifying the basis for the partial answer, including any estimate, and the reason that the exact information is not available.
3. When an Information Request calls for an answer in more than one part, each part should be separated so that every answer is clear and understandable.
4. As used in these Information Requests, the word "document" means the original and any non-identical copy, regardless of origin or location, of any writing or record of any type or description, including but not limited to the original or any non-identical copy (including any copy bearing underlining or notations not appearing in the original) of any letter, memorandum, diary, telegram, report, study, diagram, exhibit, interoffice or intraoffice communication, handwritten or other note, working paper, application, agreement, paper, electronic mail, photograph, book, pamphlet, periodical, chart, graph, survey, map, index, computer data, tape, disc, data sheet or data processing card, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires and surveys, worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing.
5. The term "communications" means documents, written correspondence, conversations (whether face-to-face, by telephone, or some other means), meetings, conferences, instructions, and directives.
6. The term "person" includes an individual, partnership, association, joint-stock company, Limited Liability Company, trust, corporation, or other entity.

Appendix B

7. The term "all documents" means every document, as above defined, with Verizon DC's knowledge, possession, control or custody, and every such document that can be located or discovered by diligent effort.
8. Unless otherwise stated, to "identify" a person means to provide the full name, present or last known address, telephone number, and a description of principal lines of business. In the case of an individual, please supply the full name and address of the business or organization with which the individual is associated or employed, the individual's present titles or positions with any business or organization, present or last known business and residence address, business and residence telephone numbers, and the person's general responsibilities.
9. Unless otherwise stated, to "identify" a document means to render a full and complete description of the type (e.g. memorandum, handwritten notes, etc.), date, author, sender, recipient, the persons to whom copies were furnished (together with such persons' job titles and present address), present location and custodian, and a full description of the subject matter of the document. If any document was, but no longer is, in the possession, custody, or control of Verizon DC, state the disposition that was made of it, the reasons for such disposition, and the date thereof.
10. Unless otherwise stated, to "identify" a communication other than a document means to render a full and complete description of the type (e.g., meeting, telephone call, etc.), date, participants, and other persons present when the communication was made (together with such persons' job titles and present addresses), who initiated the communication, and a full description of the subject matter of the communication. (Communications among Verizon DC's representatives are expressly included.)
11. The phrase "referring to" means initiating, comprising, underlying, memorializing, explaining or relating to.
12. The term "including" means including but not limited to.
13. Unless the context clearly requires otherwise, the singular form of any term used herein shall include the plural, and vice versa. Similarly, the present tense of any verb shall include the past tense, and vice versa.
14. If the answer to any Information Request or subpart thereof is "none" or "no," please indicate.

Appendix B

15. In connection with each response, identify those individuals who were requested to provide information, who responded, and what information he or she provided. Identify each individual who is competent to give testimony concerning the response, and concerning all documents produced as part of the response.
16. Unless otherwise indicated, the Information Requests pertain to Verizon DC's operations in the District of Columbia.
17. These Information Requests are continuing, and Verizon DC is obligated to change, supplement, and correct all answers to conform to available information, including such information that becomes available to Verizon DC after the answers are filed.

1024-T-49

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., SUITE 200, WEST TOWER
WASHINGTON, DC 20005

ORDER

October 31, 2003

**FORMAL CASE NO. 1024, IN THE MATTER OF THE IMPLEMENTATION OF
THE TRIENNIAL REVIEW ORDER IN THE DISTRICT OF COLUMBIA, Order
No. 12969**

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia ("Commission") issues the following information requests to all certificated competitive local exchange carriers ("CLECs") in this proceeding. The Commission directs all CLECs to respond to the attached information requests by November 21, 2003. Because all certificated CLECs were made parties to this proceeding, the Commission requires all certificated CLECs to respond to these information requests.

II. BACKGROUND

2. On August 21, 2003, the Federal Communications Commission ("FCC") issued the text of its *Triennial Review Order*, which redefined the standards used to classify portions of the incumbent local exchange carrier's ("ILEC") network as unbundled network elements ("UNEs"). In this Order, the FCC discussed the circumstances under which a competitive local exchange carrier ("CLEC") would be "impaired" without access to a certain network element, so that the ILEC would be required to lease that element to the CLEC. The FCC redefined impairment as a situation in which "lack of access to an incumbent LEC network element poses a barrier or barriers to entry, including operational and economic barriers, that are likely to make entry into a market uneconomic."¹ The FCC then reevaluated the network elements that it had previously deemed to be UNEs to determine whether these elements could be classified as UNEs under this new definition.

3. For some network elements, the FCC required state commissions to perform granular analyses to determine whether certain network elements could be defined as UNEs in the particular jurisdictions. The FCC required states to undertake four major investigations. First, the FCC required state commissions to evaluate whether

¹ *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket No. 98-147, Report and Order and Order on Remand and Further Notice of Proposed Rulemaking ("*Triennial Review Order*") at 58, ¶ 84, rel. August 21, 2003.

CLECs are impaired without access to dark fiber and high capacity loops in the enterprise market on a customer location specific basis.² Second, the FCC required state commissions to determine whether CLECs are impaired without access to dedicated transport for both the enterprise and the mass market on a route-specific basis.³ Third, the FCC required state commissions to decide whether CLECs are impaired without access to unbundled local circuit switching in the mass market.⁴ The analysis for these issues involves a granular analysis to determine whether alternatives to Verizon DC exist in the market using two triggers, the Self-Provisioning Trigger and the Competitive Wholesale Facilities Trigger. If these triggers are not met, then the analysis focuses on whether there are operational or economic barriers to competition in providing these UNEs. The FCC also mandated that state commissions approve and implement a batch hot cut process for the mass market or determine that such a process is not necessary.⁵ The FCC required state commissions to complete their inquiries on these four major issues and other related issues within nine months of the effective date of the *Triennial Review Order*, which is July 2, 2004.

4. On October 24, 2003, the Commission released Order No. 12958, which set the procedural schedule for the nine-month proceeding. The Commission established October 31, 2003 as the deadline for discovery requests, with November 21, 2003 as the deadline for responses to discovery requests.⁶

III. DISCUSSION

5. The Commission's Rules of Practice and Procedure outline a discovery process to obtain relevant information.⁷ To that end, the Commission directs all CLECs certificated in the District of Columbia to respond to the information requests included in Appendix A. The Commission's general guidelines for responding to information requests are attached as Appendix B. CLECs are required to respond to these requests by November 21, 2003.

² *Triennial Review Order* at 190, 198, ¶¶ 314, 328.

³ *Triennial Review Order* at 249-250, ¶ 399-400.

⁴ *Triennial Review Order* at 313, ¶ 493.

⁵ *Triennial Review Order* at 262, 287, ¶¶ 423, 460.

⁶ *Formal Case No. 1024, In the Matter of the Implementation of the Triennial Review Order in the District of Columbia*, Order No. 12958, ¶ 51.

⁷ See 15 DCMR § 122-123.

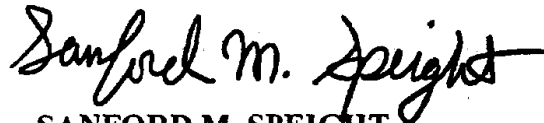
THEREFORE, IT IS ORDERED THAT:

6. All competitive local exchange carriers certificated in the District of Columbia shall respond to the attached information requests by November 21, 2003.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

CHIEF CLERK

A handwritten signature in black ink, reading "Sanford M. Speight". The signature is written in a cursive, flowing style.

**SANFORD M. SPEIGHT
ACTING COMMISSION SECRETARY**

Appendix A

Questions Regarding the Availability of Competitive Local Facilities

Questions for CLECs

CLEC Switching

1. Provide the name and address of your company; state if your company is an affiliate of Verizon or any of its entities in the District of Columbia or anywhere else; and provide the nature of such affiliation.

Form for Response to Questions 2, 3 & 4				
Switch Name (11-digit CLLI) and Address	Switch Ownership or Leased from: Name and Address	Is switch co- located in Verizon DC facilities? (Yes/No)	Switch Technology (circuit, packet, soft) and Type (e.g., Lucent 5ESS)	Verizon DC Wire Centers in the District With Customers Served by Switch
[use as many lines as needed]				

2. Provide the names and addresses of all third parties from whom you have leased switches and/or switch capacity that you use to provide local voice service in the District, and identify all such switches by CLLI and street address, including zip code, and state if the switch is collocated at a Verizon DC facilities.
3. Provide a list of all switches (circuit, packet, soft) you currently use (not necessarily own) to provide local voice service in Washington, DC ("the District"), regardless of whether the switch is located in the District, including the physical location of each switch (i.e., the street address), the switch type (e.g., Lucent 5ESS), and the 11-digit Common Language Location ("CLLI") code of the switch as it appears in the Local Exchange Routing Guide ("LERG"). Include a switch even if it is also used to provide non-local service or enhanced service.
4. For each switch identified in response to Question 3, provide a list of all Verizon DC wire centers in the District which your company is currently using to provide local service to one or more customers.

Form for Response to Questions 5 & 6				
Verizon DC Wire Center	Total Voice Grade Equivalent Lines Served From This Wire Center To Your CLEC Switch	Voice Grade Equivalent Lines from Verizon DC Wire Center Provided to:		
		Number of Residential Customers	Number of Business Customers with less than 5 DS-0 lines.	Number of Business Customers with 5 or more DS-0, or other high capacity lines.
[use as many lines as needed]				

5. For each Verizon DC wire center identified in response to Question 4, identify the total number of voice-grade equivalent lines¹ you are providing to customers in that wire center from your switch(es) identified in response to Question 4.
6. With respect to the voice-grade equivalent lines identified in response to Question 5, separately indicate the number being provided to (a) residential customers; (b) business customers to whom you provide less than 5 voice-grade or DS0 lines; and (c) business customers to whom you provide 5 or more voice-grade or DS0 lines, or other high capacity² lines.

Form for Response to Question 7									
Verizon DC Wire Center	Number (or Percentage) of Voice-Grade Equivalent Lines Served From Your CLEC Switch in Verizon Wire Center by Customer and Loop Type:								
		ULL from Verizon DC	Coaxial Cable Self-Deployed	Copper Self-Deployed	Fiber from 3d Party	Fiber Self-Deployed	Fixed Wireless From 3d Party	Fixed Wireless Self-Deployed	Other (specify)
xxxx	Residential Customers								
	Business Customers with less than 5 DS0 lines								
	Business Customers with 5 or more DS0 lines, or high capacity lines								
Repeat									
		ULL from Verizon DC	Coaxial Cable Self-Deployed	Copper Self-Deployed	Fiber from 3d Party	Fiber Self-Deployed	Fixed Wireless From 3d Party	Fixed Wireless Self-Deployed	Other (specify)
yyyy	Residential Customers								
	Business Customers with less than 5 DS-0 lines								

¹ For purposes of these questions, "voice-grade equivalent lines" should be defined consistent with the FCC's use of the term. See, e.g. FCC Form 477, Instructions for the Local Competition and Broadband Reporting Form.

² For purposes of these questions, "high capacity" means DS-1 or equivalent or higher capacity lines, including, but not limited to DS-1, ISDN-PRI, DS-3, OCn.

	Business Customers with 5 or more DS-0 lines, or high capacity lines								
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7. With respect to the lines identified in response to Question 6, indicate the types of loop over which they are being provided (e.g., an unbundled loop leased from Verizon DC, a copper or fiber loop leased from a third party, a self-supplied copper or fiber loop, or a coaxial cable loop).

CLEC Transport

1. Identify all transport facilities in the District you own, possess, or control, or are in the process of acquiring or constructing, by street address. (For purposes of responding to this question, your own transport facilities include facilities that you have obtained from another entity on a long-term, indefeasible right of use basis.)
2. For each transport facility identified in response to Question 1, state whether the facility is a fiber optic transport facility or an intermodal form of transport (e.g., microwave radio, cable).
3. For each transport facility identified in response to Question 1, provide a map showing the location of such facility on a paper map, plat, or diagram.

Form for Response to Questions 4 and 5			
Transport Currently Served with Self-Deployed Facilities		Transport with Self-Deployed Facilities Under Construction	
CLLI Code and Street Address of Verizon DC Wire Center	Operating Capacity	CLLI Code and Street Address of Verizon DC Wire Center	Operating Capacity
[use as many lines as needed]			

4. For each transport facility identified in response to Question 1, identify by the 11-digit CLLI code of the Verizon DC switches and the wire centers in the District to which the transport facility is connected or to which such facility is currently in the process of being connected.
5. For each Verizon DC switch or wire center identified in response to Question 4, identify the capacity of your transport facilities (e.g., dark fiber, DS-1, DS-3). (For purposes of answering this question and all other questions about transport facility capacity, DS-1 transport consists of transmission facilities with a total digital signal speed of 1.544 megabytes per second; DS-3 transport consists of transmission facilities with a total digital signal speed of 44.736 megabytes per second; and dark fiber transport consists of unactivated optical interoffice transmission facilities.)

Form for Response to Questions 6 and 7			
Dark Fiber Transport Capacity Obtained from Any Supplier			
CLLI Code and Street Address of Verizon DC Wire Center	Dark Fiber Supplier	Optonics Attached (Y/N)	Operating Capacity With Optonics
[use as many lines as needed]			

6. Identify all Verizon DC switches or wire centers at which you have dark fiber transport facilities obtained from any supplier, including but not limited to Verizon DC.
7. For each dark fiber facility identified in response to Question 6, state whether you have attached optonics to that facility (*i.e.*, whether the fiber is now "lit"), and the capacity at which each such transport facility is now capable of operating.

Form for Response to Questions 8 and 9		
Transport Routes Currently Served with Leased Facilities (Other Than From Verizon DC) Excluding Dark Fiber		
CLLI Code and Street Address of Verizon DC Wire Center	Operating Capacity	Supplier
[use as many lines as needed]		

8. Identify all Verizon DC switches and wire centers in the District to which you have obtained transport facilities from a supplier *other than* Verizon DC, including but not limited to wholesale providers, non-certificated providers, and intermodal providers.
9. For all facilities identified in response to Question 8, identify both the supplier other than Verizon DC and the capacity of the facility (*e.g.*, dark fiber, DS-1, DS-3).

Form for Response to Questions 10 and 11		
Transport Facilities Available to Other Carriers		
CLLI Code and Street Address of Verizon DC Wire Center	Operating Capacity	Carrier to Which Transport Facility was Offered or Made Available
[use as many lines as needed]		

10. For each Verizon DC switch or wire center identified in response to Question 4, state whether you have made available or offered to make available any portion of your transport facilities as *dedicated* transport to another carrier (*e.g.*, through lease, indefeasible right of use).
11. For each Verizon DC switch or wire center identified in response to Question 10, identify both the carrier and the capacity of the transport facility you have made available or offered to make available (*e.g.*, dark fiber, DS-1, DS-3).

Form for Response to Question 12		
CLLI Code and Street Address of IP	Type of IP	Carriers to Which You Interconnect at IP
[use as many lines as needed]		

12. Identify the points in the District at which you connect your local network facilities to the networks of carriers other than Verizon DC, including interconnection with other CLECs, interexchange carriers, or internet service providers at any point of presence, network access point, collocation hotel, data center, or similar facility (collectively or individually, "interconnection points" or "IPs").

CLEC High-Capacity Loops (DS-1 or greater)

Form for Response to Question 1			
Self-Deployed - Customer Locations Currently Served With High-Capacity Loop Facilities		Self-Deployed - Customer Locations With High-Capacity Loop Facilities Under Construction	
Customer Address (Street, City, Zip)	Capacity	Customer Address (Street, City, Zip)	Capacity
[use as many lines as needed]			

1. Provide a list of the customer locations (including those of CLECs) to which you have deployed your own high-capacity loop facilities (*i.e.*, any high-capacity wireline or wireless facilities that, directly or indirectly, provide connections between a switch and a customer's premises) or are in the process of deploying such facilities, including the address of each location. Specify the capacity (*e.g.*, DS-1, DS-3, voice-grade equivalent lines) – both activated and inactivated deployed or obtained to each location.

Form for Response to Question 2			
Supplier-Deployed - Customer Locations Currently Served with High-Capacity Loop Facilities		Supplier Deployed - Customer Locations With High-Capacity Loop Facilities Under Construction	
Customer Address (Street, City, Zip)	Capacity	Customer Address (Street, City, Zip)	Capacity
[use as many lines as needed]			

2. Provide a list of the customer locations (including those of CLECs) to which you have obtained high-capacity loop facilities or services from a supplier (including other CLECs, wholesale providers, and non-certificated providers), as well as the address of each location. Specify the capacity (*e.g.*, DS-1, DS-3, voice-grade equivalent lines) – both activated and inactivated deployed or obtained to each location.

Form for Response to Questions 3		
Customer Locations Currently Served with High-Capacity Loop Facilities		
Customer Address (Street, City, Zip)	Capacity	Supplier
[use as many lines as needed]		

3. With respect to the facilities identified in response to Question 2, list the suppliers from whom you have obtained those facilities.

Form for Response to Question 4							
Customer Locations Currently Served with Self-Deployed High-Capacity Loop Facilities				Customer Locations With Self-Deployed High-Capacity Loop Facilities Under Construction			
Customer Address (Street, City, Zip)	Deployed as an extension of pre-existing ring (yes/no)	Approximate length of facility extension	Approximate construction time of facility extension	Customer Address (Street, City, Zip)	Deployed as an extension of pre-existing ring (yes/no)	Approximate length of planned facility extension	Approximate construction time of planned facility extension
[use as many lines as needed]							

4. With respect to the facilities identified in response to Question 1, indicate which, if any, were deployed as an extension of a pre-existing fiber ring and, if so, the approximate length of that facility extension and the approximate time it took to construct.

Form for Response to Questions 5 and 6					
Customer Locations Currently Served with Self-Deployed High-Capacity Loop Facilities			Customer Locations With Self-Deployed High-Capacity Loop Facilities Under Construction		
Customer Address (Street, City, Zip)	Connected Switch (Owner, CLLI Code, Street, City, Zip)	Is Switch Self Provisioning (Yes/No)	Customer Address (Street, City, Zip)	Connected Switch (Owner, CLLI Code, Street, City, Zip)	Is Switch Self Provisioning (Yes/No)
[use as many lines as needed]					

5. With respect to the facilities identified in response to Question 1, indicate which, if any, are connected directly to Verizon switch. Please provide a list of these switches, including CLLI and street address including zip.
6. With respect to the facilities identified in response to Question 5, indicate which, if any, are connected to a self-provisioning switch.

Appendix B

GENERAL INSTRUCTIONS

1. All information is to be divulged that is within the knowledge, possession, control, or custody of each CLEC certificated in the District of Columbia ("each CLEC") or may be reasonably ascertained thereby, including documents at any time in the possession, control, or custody of each CLEC or known to by each CLEC to exist. The Information Requests are directed to each CLEC and its respective affiliates, officers, directors, attorneys, agents, employees, or other appropriate representatives.
2. All answers should be made separately, fully, and completely. If any of the Requests are unclear, please contact Lara H. Walt, Rudolph Somwaru, or Farhad Niami at (202) 626-5100 as soon as possible so that the specific Information Request(s) may be rephrased. If any request cannot be answered in full, an answer should be provided to the extent possible, specifying the basis for the partial answer, including any estimate, and the reason that the exact information is not available.
3. When an Information Request calls for an answer in more than one part, each part should be separated so that every answer is clear and understandable.
4. As used in these Information Requests, the word "document" means the original and any non-identical copy, regardless of origin or location, of any writing or record of any type or description, including but not limited to the original or any non-identical copy (including any copy bearing underlining or notations not appearing in the original) of any letter, memorandum, diary, telegram, report, study, diagram, exhibit, interoffice or intraoffice communication, handwritten or other note, working paper, application, agreement, paper, electronic mail, photograph, book, pamphlet, periodical, chart, graph, survey, map, index, computer data, tape, disc, data sheet or data processing card, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires and surveys, worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing.
5. The term "communications" means documents, written correspondence, conversations (whether face-to-face, by telephone, or some other means), meetings, conferences, instructions, and directives.
6. The term "person" includes an individual, partnership, association, joint-stock company, Limited Liability Company, trust, corporation, or other entity.

Appendix B

7. The term "all documents" means every document, as above defined, with each CLEC's knowledge, possession, control or custody, and every such document that can be located or discovered by diligent effort.
8. Unless otherwise stated, to "identify" a person means to provide the full name, present or last known address, telephone number, and a description of principal lines of business. In the case of an individual, please supply the full name and address of the business or organization with which the individual is associated or employed, the individual's present titles or positions with any business or organization, present or last known business and residence address, business and residence telephone numbers, and the person's general responsibilities.
9. Unless otherwise stated, to "identify" a document means to render a full and complete description of the type (e.g. memorandum, handwritten notes, etc.), date, author, sender, recipient, the persons to whom copies were furnished (together with such persons' job titles and present address), present location and custodian, and a full description of the subject matter of the document. If any document was, but no longer is, in the possession, custody, or control of each CLEC, state the disposition that was made of it, the reasons for such disposition, and the date thereof.
10. Unless otherwise stated, to "identify" a communication other than a document means to render a full and complete description of the type (e.g., meeting, telephone call, etc.), date, participants, and other persons present when the communication was made (together with such persons' job titles and present addresses), who initiated the communication, and a full description of the subject matter of the communication. (Communications among each CLEC's representatives are expressly included.)
11. The phrase "referring to" means initiating, comprising, underlying, memorializing, explaining or relating to.
12. The term "including" means including but not limited to.
13. Unless the context clearly requires otherwise, the singular form of any term used herein shall include the plural, and vice versa. Similarly, the present tense of any verb shall include the past tense, and vice versa.
14. If the answer to any Information Request or subpart thereof is "none" or "no," please indicate.

Appendix B

15. In connection with each response, identify those individuals who were requested to provide information, who responded, and what information he or she provided. Identify each individual who is competent to give testimony concerning the response, and concerning all documents produced as part of the response.
16. Unless otherwise indicated, the Information Requests pertain to each CLEC's operations in the District of Columbia.
17. These Information Requests are continuing, and each CLEC is obligated to change, supplement, and correct all answers to conform to available information, including such information that becomes available to each CLEC after the answers are filed.

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1024-T-267

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., SUITE 200, WEST TOWER
WASHINGTON, DC 20005

ORDER

January 30, 2004

**FORMAL CASE NO. 1024, IN THE MATTER OF THE IMPLEMENTATION OF
THE TRIENNIAL REVIEW ORDER IN THE DISTRICT OF COLUMBIA, Order
No. 13057**

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia ("Commission") issues the following information requests to the certificated competitive local exchange carriers ("CLECs") identified by Verizon Washington DC, Inc. ("Verizon DC") in its initial¹ and supplemental² testimonies as potentially having facilities that satisfy the mass market switching, enterprise loop, and dedicated transport triggers in this proceeding. The Commission directs these identified CLECs ("identified CLECs") to respond to the attached information requests by February 20, 2004.

II. BACKGROUND

2. On August 21, 2003, the Federal Communications Commission ("FCC") issued the text of its *Triennial Review Order*, which redefined the standards used to classify portions of the incumbent local exchange carrier's ("ILEC") network as unbundled network elements ("UNEs"). In this Order, the FCC discussed the circumstances under which a competitive local exchange carrier ("CLEC") would be "impaired" without access to a certain network element, so that the ILEC would be required to lease that element to the CLEC. The FCC redefined impairment as a situation in which "lack of access to an incumbent LEC network element poses a barrier or barriers to entry, including operational and economic barriers, that are likely to make entry into a market uneconomic."³ The FCC then reevaluated the network elements that it had

¹ *Formal Case No. 1024, In the Matter of the Implementation of the Triennial Review Order in the District of Columbia, Verizon Washington DC, Inc.' Initial Testimony ("Verizon DC Exhibit A")*, filed December 1, 2003.

² *Formal Case No. 1024, In the Matter of the Implementation of the Triennial Review Order in the District of Columbia, Verizon Washington DC, Inc.' Supplemental Testimony ("Verizon DC Exhibit D")*, filed January 16, 2004; *Verizon Washington DC, Inc.'s Supplemental Testimony ("Verizon DC Exhibit F")*, filed January 20, 2004.

³ *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket No. 98-147, Report and Order and Order on

previously deemed to be UNEs to determine whether these elements could be classified as UNEs under this new definition.

3. For some network elements, the FCC required state commissions to perform granular analyses to determine whether certain network elements could be defined as UNEs in the particular jurisdictions. The FCC required states to undertake four major investigations. First, the FCC required state commissions to evaluate whether CLECs are impaired without access to dark fiber and high capacity loops in the enterprise market on a customer location specific basis.⁴ Second, the FCC required state commissions to determine whether CLECs are impaired without access to dedicated transport for both the enterprise and the mass market on a route-specific basis.⁵ Third, the FCC required state commissions to decide whether CLECs are impaired without access to unbundled local circuit switching in the mass market.⁶ The analysis for these issues involves a granular analysis to determine whether alternatives to Verizon DC exist in the market using two triggers, the Self-Provisioning Trigger and the Competitive Wholesale Facilities Trigger. If these triggers are not met, then the analysis focuses on whether there are operational or economic barriers to competition in providing these UNEs. The FCC also mandated that state commissions approve and implement a batch hot cut process for the mass market or determine that such a process is not necessary.⁷ The FCC required state commissions to complete their inquiries on these four major issues and other related issues within nine months of the effective date of the *Triennial Review Order*, which is July 2, 2004.

4. On October 24, 2003, the Commission released Order No. 12958, which set the procedural schedule for the nine-month proceeding.⁸ The Commission amended the procedural schedule in Orders Nos. 13038 and 13051, establishing January 30, 2004 as the date for submitting data requests.⁹

Remand and Further Notice of Proposed Rulemaking ("*Triennial Review Order*") at 58, ¶ 84, rel. August 21, 2003.

⁴ *Triennial Review Order* at 190, 198, ¶¶ 314, 328.

⁵ *Triennial Review Order* at 249-250, ¶ 399-400.

⁶ *Triennial Review Order* at 313, ¶ 493.

⁷ *Triennial Review Order* at 262, 287, ¶¶ 423, 460.

⁸ *Formal Case No. 1024, In the Matter of the Implementation of the Triennial Review Order in the District of Columbia*, Order No. 12958, rel. October 24, 2003.

⁹ *Formal Case No. 1024, In the Matter of the Implementation of the Triennial Review Order in the District of Columbia*, Order No. 13038, rel. January 13, 2004; Order No. 13051, rel. January 23, 2004.

III. DISCUSSION

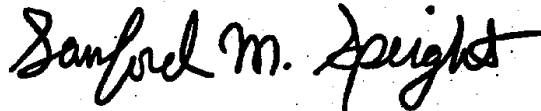
5. The Commission's Rules of Practice and Procedure outline a discovery process to obtain relevant information.¹⁰ These rules permit the Commission to issue information requests at any time during a proceeding, but for the convenience of the parties, the Commission follows the procedural schedule established in Order No. 13051.¹¹ Because Verizon DC asserts that certain CLECs have facilities that meet the mass market switching, enterprise loop, and dedicated transport triggers, the Commission seeks additional information from these identified CLECs. The identified CLECs are directed to respond to the information requests included in Attachment A. The Commission's general guidelines for responding to information requests are attached as Attachment B. Identified CLECs are required to respond to these requests by February 20, 2004.

THEREFORE, IT IS ORDERED THAT:

6. All competitive local exchange carriers identified in Verizon Washington DC, Inc.'s testimony as potentially satisfying the *Triennial Review Order's* triggers in the District of Columbia shall respond to the attached information requests by February 20, 2004.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:



CHIEF CLERK

SANFORD M. SPEIGHT
ACTING COMMISSION SECRETARY

¹⁰ See 15 DCMR § 122-123.

¹¹ 15 DCMR § 122.8.

Questions Regarding the Availability of Competitive Local Facilities

Questions for Identified CLECs

Mass Market Switching

1. Regarding Verizon DC Exhibit A-1, please indicate whether any of the markings on the map identify any of your switches. If so, please indicate the wire center in which the switch is located, the type of switch, the number of residential and business customers served by the switch, and the location of these customers. Please break down the number of business lines into those provided over DS0 facilities and those served over DS1 facilities. Please indicate the time period for which this information was collected.
2. Regarding Verizon DC Exhibit A-2, please indicate whether the data provided regarding your company is accurate. If this information is not accurate, please provide accurate information. Please break down the line counts into residential loops and business loops. Please indicate the time period for which this information was collected.
3. Please identify the wire centers in which your company has installed switches. Please indicate, by wire center, the number of District of Columbia residential customers and District of Columbia business customers that you serve over DS0 loops using switching other than Verizon DC's switching. Please indicate the time period for which this information was collected.
4. Is the information for your company provided in Verizon DC Exhibit A-3 accurate? If not, please correct the inaccurate information. Please indicate the time period for which this information was collected.
5. Does your company currently provide the tariffed services listed in Verizon DC Exhibit A-3? If so, how many customers do you serve under each tariff? Where are these customers located? Could any of your business customers be considered mass market customers as defined in the *Triennial Review Order*? Please indicate the time period for which this information was collected.

Dedicated Transport

1. Regarding Verizon DC Exhibit A-5, Exhibit F-1, and Exhibit F-2: Is the information contained in these tables accurate for your company? If so, please indicate the types of transport facilities and the capacity of these transport facilities that you have in each of the wire centers identified in each of these exhibits. If your company does not have transport facilities in a particular wire center, please indicate this fact. Please indicate whether your company has transport facilities connecting the pairs of wire centers identified in these exhibits. If your company does not have a transport route between the wire center pairs identified in these exhibits, please describe the route(s) for

the transport facilities identified in these exhibits. Please indicate the time period for which this information was collected.

2. Regarding Verizon DC Exhibit A-6, Exhibit F-3, and Exhibit F-4: Does your company lease dedicated transport facilities to other carriers? If so, please indicate the capacity of the dedicated transport that your company offers at wholesale. Please identify the carriers that lease dedicated transport from your company. Please identify the wire center in which the leased facilities are located. Please describe the route of any leased dedicated transport. Please indicate the time period for which this information was collected.

3. Regarding Verizon DC Exhibit A-6: Does your company lease dedicated transport from any wholesale dedicated transport provider? If so, please identify the wholesale dedicated transport provider for each route leased. Please identify the wire centers in which the transport facilities are located and describe the route of any leased dedicated transport. Please indicate the capacity of any transport facilities that your company leases. Please indicate the time period for which this information was collected.

Enterprise Loops

1. For the carriers identified on page 12 of Verizon DC Exhibit D, please identify the customer locations at which your company is currently offering enterprise loops at wholesale. Please indicate the time period for which this information was collected.

2. For the carriers identified in Verizon DC Exhibit D-4, please indicate whether the information for your company in this exhibit is correct. If not, please describe the enterprise loop facilities that you provide at the locations in Verizon DC Exhibit D-4. Please indicate the time period for which this information was collected.

3. For the carriers identified in Verizon DC Exhibit D-4, is your company able to provide enterprise loops to all customers at the particular customer locations in Verizon DC Exhibit D-4? If not, please provide detailed reasons explaining why your company cannot serve all customers at that particular customer location. Please indicate the time period for which this information was collected.

Attachment B

GENERAL INSTRUCTIONS

1. All information is to be divulged that is within the knowledge, possession, control, or custody of each CLEC identified in Verizon DC's testimony as potentially having facilities that meet any of the *Triennial Review Order*'s triggers ("each CLEC") or may be reasonably ascertained thereby, including documents at any time in the possession, control, or custody of each CLEC or known to by each CLEC to exist. The Information Requests are directed to each CLEC and its respective affiliates, officers, directors, attorneys, agents, employees, or other appropriate representatives.
2. All answers should be made separately, fully, and completely. If any of the Requests are unclear, please contact Lara H. Walt, Ellen Brown, or Farhad Niami at (202) 626-5100 as soon as possible so that the specific Information Request(s) may be rephrased. If any request cannot be answered in full, an answer should be provided to the extent possible, specifying the basis for the partial answer, including any estimate, and the reason that the exact information is not available.
3. When an Information Request calls for an answer in more than one part, each part should be separated so that every answer is clear and understandable.
4. As used in these Information Requests, the word "document" means the original and any non-identical copy, regardless of origin or location, of any writing or record of any type or description, including but not limited to the original or any non-identical copy (including any copy bearing underlining or notations not appearing in the original) of any letter, memorandum, diary, telegram, report, study, diagram, exhibit, interoffice or intraoffice communication, handwritten or other note, working paper, application, agreement, paper, electronic mail, photograph, book, pamphlet, periodical, chart, graph, survey, map, index, computer data, tape, disc, data sheet or data processing card, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires and surveys, worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing.
5. The term "communications" means documents, written correspondence, conversations (whether face-to-face, by telephone, or some other means), meetings, conferences, instructions, and directives.
6. The term "person" includes an individual, partnership, association, joint-stock company, Limited Liability Company, trust, corporation, or other entity.

Attachment B

7. The term "all documents" means every document, as above defined, with each CLEC's knowledge, possession, control or custody, and every such document that can be located or discovered by diligent effort.
8. Unless otherwise stated, to "identify" a person means to provide the full name, present or last known address, telephone number, and a description of principal lines of business. In the case of an individual, please supply the full name and address of the business or organization with which the individual is associated or employed, the individual's present titles or positions with any business or organization, present or last known business and residence address, business and residence telephone numbers, and the person's general responsibilities.
9. Unless otherwise stated, to "identify" a document means to render a full and complete description of the type (e.g. memorandum, handwritten notes, etc.), date, author, sender, recipient, the persons to whom copies were furnished (together with such persons' job titles and present address), present location and custodian, and a full description of the subject matter of the document. If any document was, but no longer is, in the possession, custody, or control of each CLEC, state the disposition that was made of it, the reasons for such disposition, and the date thereof.
10. Unless otherwise stated, to "identify" a communication other than a document means to render a full and complete description of the type (e.g., meeting, telephone call, etc.), date, participants, and other persons present when the communication was made (together with such persons' job titles and present addresses), who initiated the communication, and a full description of the subject matter of the communication, and a full description of the subject matter of the communication. (Communications among each CLEC's representatives are expressly included.)
11. The phrase "referring to" means initiating, comprising, underlying, memorializing, explaining or relating to.
12. The term "including" means including but not limited to.
13. Unless the context clearly requires otherwise, the singular form of any term used herein shall include the plural, and vice versa. Similarly, the present tense of any verb shall include the past tense, and vice versa.
14. If the answer to any Information Request or subpart thereof is "none" or "no," please indicate.

Attachment B

15. In connection with each response, identify those individuals who were requested to provide information, who responded, and what information he or she provided. Identify each individual who is competent to give testimony concerning the response, and concerning all documents produced as part of the response.
16. Unless otherwise indicated, the Information Requests pertain to each CLEC's operations in the District of Columbia.
17. These Information Requests are continuing, and each CLEC is obligated to change, supplement, and correct all answers to conform to available information, including such information that becomes available to each CLEC after the answers are filed.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., SUITE 200, WEST TOWER
WASHINGTON, DC 20005

ORDER

January 30, 2004

**FORMAL CASE NO. 1024, IN THE MATTER OF THE IMPLEMENTATION OF
THE TRIENNIAL REVIEW ORDER IN THE DISTRICT OF COLUMBIA, Order
No. 13058**

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia ("Commission") issues the following information requests to Verizon Washington DC, Inc. ("Verizon DC"). The Commission directs Verizon DC to respond to the attached information requests by February 20, 2004.

II. BACKGROUND

2. On August 21, 2003, the Federal Communications Commission ("FCC") issued the text of its *Triennial Review Order*, which redefined the standards used to classify portions of the incumbent local exchange carrier's ("ILEC") network as unbundled network elements ("UNEs"). In this Order, the FCC discussed the circumstances under which a competitive local exchange carrier ("CLEC") would be "impaired" without access to a certain network element, so that the ILEC would be required to lease that element to the CLEC. The FCC redefined impairment as a situation in which "lack of access to an incumbent LEC network element poses a barrier or barriers to entry, including operational and economic barriers, that are likely to make entry into a market uneconomic."¹ The FCC then reevaluated the network elements that it had previously deemed to be UNEs to determine whether these elements could be classified as UNEs under this new definition.

3. For some network elements, the FCC required state commissions to perform granular analyses to determine whether certain network elements could be defined as UNEs in the particular jurisdictions. The FCC required states to undertake four major investigations. First, the FCC required state commissions to evaluate whether CLECs are impaired without access to dark fiber and high capacity loops in the enterprise

¹ *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, CC Docket No. 01-338, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket No. 98-147, Report and Order and Order on Remand and Further Notice of Proposed Rulemaking ("*Triennial Review Order*") at 58, ¶ 84, rel. August 21, 2003.

market on a customer location specific basis.² Second, the FCC required state commissions to determine whether CLECs are impaired without access to dedicated transport for both the enterprise and the mass market on a route-specific basis.³ Third, the FCC required state commissions to decide whether CLECs are impaired without access to unbundled local circuit switching in the mass market.⁴ The analysis for these issues involves a granular analysis to determine whether alternatives to Verizon DC exist in the market using two triggers, the Self-Provisioning Trigger and the Competitive Wholesale Facilities Trigger. If these triggers are not met, then the analysis focuses on whether there are operational or economic barriers to competition in providing these UNEs. The FCC also mandated that state commissions approve and implement a batch hot cut process for the mass market or determine that such a process is not necessary.⁵ The FCC required state commissions to complete their inquiries on these four major issues and other related issues within nine months of the effective date of the *Triennial Review Order*, which is July 2, 2004.

4. On October 24, 2003, the Commission released Order No. 12958, which set the procedural schedule for the nine-month proceeding.⁶ On January 13, 2004, and January 23, 2004, the Commission altered the procedural schedule, changing the date for the issuance of the third round of information requests to January 30, 2004.⁷

III. DISCUSSION

5. The Commission's Rules of Practice and Procedure outline a discovery process to obtain relevant information.⁸ This process permits the Commission to release information requests at any time, but for consistency, the Commission follows the procedural schedule established in Order No. 13051.⁹ To that end, the Commission directs Verizon DC to respond to the information requests included in Attachment A. The Commission's general guidelines for responding to information requests are attached as Attachment B. Verizon DC is required to respond to these requests by February 20, 2004.

² *Triennial Review Order* at 190, 198, ¶¶ 314, 328.

³ *Triennial Review Order* at 249-250, ¶ 399-400.

⁴ *Triennial Review Order* at 313, ¶ 493.

⁵ *Triennial Review Order* at 262, 287, ¶¶ 423, 460.

⁶ *Formal Case No. 1024, In the Matter of the Implementation of the Triennial Review Order in the District of Columbia*, Order No. 12958, ¶ 51.

⁷ *Formal Case No. 1024, In the Matter of the Implementation of the Triennial Review Order in the District of Columbia*, Order No. 13038, rel. January 13, 2004; Order No. 13051, rel. January 23, 2004.

⁸ See 15 DCMR § 122-123.

⁹ 15 DCMR § 122.8.

THEREFORE, IT IS ORDERED THAT:

6. Verizon Washington DC, Inc. shall respond to the attached information requests by February 20, 2004.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

CHIEF CLERK


SANFORD M. SPEIGHT
ACTING COMMISSION SECRETARY

Questions Regarding the Availability of Competitive Local Facilities

Questions for Verizon DC

Mass Market Switching

1. Please provide a copy of the Line Count Study, first referenced on page 17 of Verizon DC Exhibit A.
2. Please provide all workpapers used to develop the Line Count Study.
3. In reference to page 17 of Verizon DC Exhibit A, please provide, by wire center and CLEC, the number of residential and small business listings in the E911 database that Verizon DC identified were used by CLECs to bypass Verizon DC's local network to serve mass market customers. Please indicate the time period for which this information was collected.
4. In reference to page 20 of Verizon DC Exhibit A, please provide engineering documentation to support your conclusion that the E911 database could be used to identify residential customers that were being served by CLEC switches.
5. Regarding Verizon DC Exhibit A-1, please identify the wire center in which each switch marked on the District of Columbia map is located. Please identify the entity that owns each switch identified and the type of switch. Indicate the capacity of each switch and the number of residential and business customers served by this switch. Please indicate the time period for which this information was collected.
6. Regarding Verizon DC Exhibit A-2, please explain what "sum of total" in the chart means. Does this mean total lines, total residential lines, or total business lines? If "sum of total" means total lines served by each CLEC's switch, please indicate the number of residential lines that are included in the total. Please break down the number of business lines into those provided over DS0 facilities and those served over DS1 facilities. Please indicate the time period for which this information was collected.
7. Regarding Verizon DC Exhibit A-2, please indicate whether all lines identified in the "sum of total" are located in the District of Columbia. Please indicate the wire centers in which these lines are located. Please indicate the time period for which this information was collected.
8. For the CLECs listed in Verizon DC Exhibit A-2 and A-3, please identify the wire center(s) in which the CLEC switch(es) is (are) located. For each switch, please provide the number of residential and business lines served. Please break down the business lines into DS0 and DS1 lines. Please indicate the time period for which this information was collected.

Order No. 13058

Attachment A

9. Regarding Verizon DC Exhibit A-3, please provide any information that Verizon DC has in its possession showing whether the CLECs identified in this table are actually providing service to residential or business customers pursuant to their tariffs. Please indicate the time period for which this information was collected.

10. Regarding Verizon DC Exhibit A-3, please provide any information that Verizon DC has in its possession showing that the CLECs in the table are offering service to mass market customers as defined in the *Triennial Review Order* (residential and small business) over their own switches. Please indicate the time period for which this information was collected.

Dedicated Transport

1. In reference to page 36 of Verizon DC Exhibit A, please provide all completed collocation inspection worksheets upon which Verizon DC relied to determine that collocation facilities in the District of Columbia had dedicated transport facilities. Please indicate the time period for which this information was collected.

2. Please provide all backup materials that support the entries in the table in Verizon DC Exhibits A-5 and A-6. Please indicate the time period for which this information was collected.

3. In reference to page 37 of Verizon DC Exhibit A, please provide engineering documentation supporting Verizon DC's assertion that "if there are fiber facilities in two Verizon wire centers in a LATA, it is very reasonable to assume that those fiber facilities are part of a CLEC-operated ring and that traffic can be routed from one Verizon wire center to the other."

4. In reference to page 37 of Verizon DC Exhibit A, please provide documentation showing that carriers' transport facilities connect each of the pairs of wire centers in which carriers have facilities.

5. In reference to page 38 of Verizon DC Exhibit A, please provide engineering documentation that supports Verizon DC's assertion that "when competing carriers deploy fiber and attach OCn electronics ... they then subdivide - i.e. channelize - the OCn system into the lower transport levels required by their customers." Please provide documentation of the standard industry practices that permit channelization.

6. In reference to page 39 of Verizon DC Exhibit A, please provide engineering documentation that supports Verizon DC's assertion that "[t]he assumptions underlying Verizon's self-deployment trigger case are entirely consistent with the way transport facilities commonly are constructed and operated."

7. In reference to the first bullet on page 41 of Verizon DC Exhibit A, please provide the website addresses for the carriers that hold themselves out as wholesale providers of transport facilities.

Order No. 13058
Attachment A

8. In reference to the second bullet on page 41 of Verizon DC Exhibit A, please provide the documentation supporting the assertion that "[a]ll carriers that sell transport facilities to Universal Access[, Inc.] are selling to another carrier." Please indicate the time period for which this information was collected.

9. In reference to the second bullet on page 41 of Verizon DC Exhibit A, please identify the carriers that supply wholesale facilities to Universal Access, Inc. Please provide the documentation showing that these carriers supply wholesale transport facilities to Universal Access, Inc. Please indicate the time period for which this information was collected.

10. In reference to the third bullet on page 41 of Verizon DC Exhibit A, please identify each carrier with a CATT arrangement that provides dedicated transport facilities to the District of Columbia in any Verizon wire center. Please identify the wire center in which the CATT arrangement is found, and provide any documentation of the existence and the facilities contained in this CATT arrangement. Please indicate the time period for which this information was collected.

11. In reference to the fourth bullet on page 41 of Verizon DC Exhibit A, please provide a copy of the New Paradigm CLEC 2003 report from which Verizon DC identified carriers offering dedicated access transport. Please provide contact information for New Paradigm Resources Group.

Enterprise Loops

1. In reference to Verizon DC Exhibit D, page 7, please provide any engineering documentation for Verizon DC's assumption that, when carriers deploy facilities to which OCn electronics are added, these carriers then channelize the OCn system into DS1s and DS3s.

2. In reference to Verizon DC Exhibit D, page 8, please provide engineering documentation supporting Verizon DC's assertion that "[t]he assumptions underlying Verizon's self-deployment trigger case are entirely consistent with the way fiber loop facilities commonly are constructed and operated."

3. In reference to Verizon DC Exhibit D, page 12, please provide any engineering and/or economic documentation supporting Verizon DC's assertion that, if a carrier offers enterprise loops for wholesale at a specific customer location, it should be assumed that a carrier is willing to offer enterprise loops at wholesale at all customer locations.

4. In reference to Verizon DC Exhibit D, page 13, please provide any engineering and/or economic documentation to support Verizon DC's assertion that, if a carrier has deployed fiber loop facilities to offer at wholesale, then the carrier is willing to provide various levels of capacity at wholesale.

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5. In reference to Verizon DC Exhibit D, pages 13-14, please provide any engineering or economic documentation supporting Verizon DC's assumption that, if a carrier is serving one portion of a specific customer location, the carrier has access to the entire customer location.

6. In reference to Verizon DC Exhibit D, page 14, please provide any engineering documentation supporting Verizon DC's assumption that, in situations in which a carrier has connected high capacity transport facilities to a switch, "it is reasonable to assume that voice grade equivalent (*i.e.* DS0) traffic is being carried within the channels of the high capacity transport."

Attachment B

GENERAL INSTRUCTIONS

1. All information is to be divulged that is within the knowledge, possession, control, or custody of Verizon Washington DC, Inc. ("Verizon DC") or may be reasonably ascertained thereby, including documents at any time in the possession, control, or custody of Verizon DC or known to by Verizon DC to exist. The Information Requests are directed to Verizon DC and its respective affiliates, officers, directors, attorneys, agents, employees, or other appropriate representatives.
2. All answers should be made separately, fully, and completely. If any of the Requests are unclear, please contact Lara H. Walt, Ellen Brown, or Farhad Niemi at (202) 626-5100 as soon as possible so that the specific Information Request(s) may be rephrased. If any request cannot be answered in full, an answer should be provided to the extent possible, specifying the basis for the partial answer, including any estimate, and the reason that the exact information is not available.
3. When an Information Request calls for an answer in more than one part, each part should be separated so that every answer is clear and understandable.
4. As used in these Information Requests, the word "document" means the original and any non-identical copy, regardless of origin or location, of any writing or record of any type or description, including but not limited to the original or any non-identical copy (including any copy bearing underlining or notations not appearing in the original) of any letter, memorandum, diary, telegram, report, study, diagram, exhibit, interoffice or intraoffice communication, handwritten or other note, working paper, application, agreement, paper, electronic mail, photograph, book, pamphlet, periodical, chart, graph, survey, map, index, computer data, tape, disc, data sheet or data processing card, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires and surveys, worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing.
5. The term "communications" means documents, written correspondence, conversations (whether face-to-face, by telephone, or some other means), meetings, conferences, instructions, and directives.
6. The term "person" includes an individual, partnership, association, joint-stock company, Limited Liability Company, trust, corporation, or other entity.
7. The term "all documents" means every document, as above defined, with Verizon DC's knowledge, possession, control or custody, and every such document that can be located or discovered by diligent effort.

Attachment B

8. Unless otherwise stated, to "identify" a person means to provide the full name, present or last known address, telephone number, and a description of principal lines of business. In the case of an individual, please supply the full name and address of the business or organization with which the individual is associated or employed, the individual's present titles or positions with any business or organization, present or last known business and residence address, business and residence telephone numbers, and the person's general responsibilities.
9. Unless otherwise stated, to "identify" a document means to render a full and complete description of the type (e.g. memorandum, handwritten notes, etc.), date, author, sender, recipient, the persons to whom copies were furnished (together with such persons' job titles and present address), present location and custodian, and a full description of the subject matter of the document. If any document was, but no longer is, in the possession, custody, or control of Verizon DC, state the disposition that was made of it, the reasons for such disposition, and the date thereof.
10. Unless otherwise stated, to "identify" a communication other than a document means to render a full and complete description of the type (e.g., meeting, telephone call, etc.), date, participants, and other persons present when the communication was made (together with such persons' job titles and present addresses), who initiated the communication, and a full description of the subject matter of the communication. (Communications among Verizon DC's representatives are expressly included.)
11. The phrase "referring to" means initiating, comprising, underlying, memorializing, explaining or relating to.
12. The term "including" means including but not limited to.
13. Unless the context clearly requires otherwise, the singular form of any term used herein shall include the plural, and vice versa. Similarly, the present tense of any verb shall include the past tense, and vice versa.
14. If the answer to any Information Request or subpart thereof is "none" or "no," please indicate.

Attachment B

15. In connection with each response, identify those individuals who were requested to provide information, who responded, and what information he or she provided. Identify each individual who is competent to give testimony concerning the response, and concerning all documents produced as part of the response.
16. Unless otherwise indicated, the Information Requests pertain to Verizon DC's operations in the District of Columbia.
17. These Information Requests are continuing, and Verizon DC is obligated to change, supplement, and correct all answers to conform to available information, including such information that becomes available to Verizon DC after the answers are filed.